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restraint of trade and carries the reader through the successive interpretations of the Sherman Act by our highest court, closing with a brief summary of its effects upon business.

Several interesting points are made by the author. In the reviewer's estimation one of the most important is that of the common law doctrine of the reasonableness of restraint of trade measured "by the lawful purpose of the principal contract." The common law rule of reasonableness did not and does not extend to cases where the main object was to get or keep another man out of business or to restrict his business in quantity, prices or territory (p. 11).

In Chapter III the inadequate preparation of the first Sugar Trust case is forcibly emphasized as one of the causes leading to the decision and it is pointed out that Mr. Justice Harlan's emphatic dissent "represents much more fully the present view of the court." The author takes the ground that both the Trans-Missouri and Joint Traffic decisions were based upon a misconception of the common law rule of restraint of trade induced partly by the error of the lower court in holding the arrangements reasonable at common law and partly by a failure to interpret correctly the Mogul Steamship case. In other words, the decisions of the court were correct, since the arrangements involved were not reasonable at common law; but this body erred in the grounds upon which it placed those decisions. In the chapter on the Oil and Tobacco decisions, the author endeavors to show that these decisions harmonize with the other decisions of the Supreme Court.

The author's view of the Sherman Act is that under the construction of the Supreme Court and measured by the common law test this measure has constituted all the law necessary for adequate regulation of the trusts. It is difficult to escape from this conclusion in the light of the careful analysis made. Furthermore, the author points out that under the common law interpretation adopted by the court there is no need of any doubt in the mind of any man as to the legality of any given business arrangements under the Sherman Act. If the main purpose is to reduce competition and gain control of the business in any particular branch and if this is not a mere incidental result, the arrangement is a violation of the Sherman Act and a man "must know that he is violating the law and no sophistry, no pretense of other purpose need mislead him."

W. H. S. STEVENS.

*Columbia University.*

VAN HISE, CHARLES R. *Concentration and Control*. (Rev. Ed.) Pp. xiii, 298. Price, \$2.00. New York: The Macmillan Company, 1914.

When Dr. Van Hise's book first appeared some two or more years ago the present reviewer criticized it in THE ANNALS because of many statements which not only would not bear careful scrutiny but which also indicated both carelessness and lack of knowledge. The new edition seems to have made no attempt to correct the loose and erroneous statements of the old. In so far, therefore, as this is the case, the second edition is subject to the same criticisms that were made in the earlier review.

The new matter in *Concentration and Control* consists of a few additional pages in the chapter on the Laws regarding Coöperation and a new appendix deal-

ing with the Trade Commission and the Clayton Acts before the same were passed. Even in these additions of but a few pages Dr. Van Hise does not escape errors and misstatements of fact. Thus, he declares that the power given the Trade Commission by the House Bill of prescribing a uniform system of accounting is among those which "have already been exercised by the Bureau of Corporations" (p. 287). The reviewer confesses some curiosity as to where Dr. Van Hise derived this bit of information; when has the Bureau ever exercised any such power, and finally from what law did it derive this authority. Similarly the author is somewhat in error in regarding as new the power given the Trade Commission "to make a report to the court regarding the form of dissolution." Apparently Dr. Van Hise is unaware of the services of the Bureau of Corporations in connection with the tobacco dissolution. Otherwise, he would have qualified this statement to some extent at least.

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*Columbia University.*

HUNT, GAILLARD. *The Department of State of the United States: Its History and Function.* Pp. viii, 459. Price, \$2.25. New Haven: Yale University Press, 1914.

Dr. Hunt has not attempted to write a popular account of the machinery of our foreign relations, but has limited himself to a careful and well-arranged exposition of the various functions with which, from time to time, the Department of State has been entrusted. The subject is of necessity somewhat technical, but the pages are interspersed with interesting incidents and examples which make clear the subject-matter and lighten the treatment. The Department of State has cared for a great variety of matters beside our foreign relations, which are naturally its most important duty. The list of its activities includes patents, census, pardons, supervision of the affairs of the territories, care of the Great Seal of the United States, and the publication of the laws. Obligated to cover so wide a field, the author, as was natural, has curtailed his consideration of those functions of the Department which relate to the conduct of our relations with other states. Nevertheless, the book contains a wealth of detail which will facilitate the task of investigators. It is to be hoped that in some later publication Dr. Hunt will give a fuller treatment to the Department of State as our Foreign Office, and not confine himself quite so closely to the documentary side of his subject. His long experience in the service and his personal relations with his colleagues would, if recorded, help us to understand the actual place of the Department of State in our polity.

### INTERNATIONAL QUESTIONS

FULLERTON, W. MORTON. *Problems of Power.* (New and rev. ed.) Pp. xxiv, 390. Price, \$2.25. New York: Charles Scribner's Sons, 1915.

The reviewer recalls the keen pleasure with which he read this most stimulating book when it first appeared in 1913. It then impressed him as a most remarkable "study of international politics," to quote the subsidiary title, written